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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

HORIZON PHARMA IRELAND LIMITED,
HZNP LIMITED and HORIZON PHARMA
USA, INC.,

Plaintiffs,

v.

ACTAVIS LABORATORIES UT, INC.,
ACTAVIS, INC. and ALLERGAN PLC,

Defendants.

C.A. No. 1:14-CV-07992-NLH-AMD

Document Filed Electronically

**PLAINTIFFS' NOTICE OF MOTION TO DISMISS ACTAVIS LABORATORIES UT,
INC.'S THIRTEENTH & FOURTEENTH COUNTERCLAIMS**

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that Plaintiffs Horizon Pharma Ireland Limited, HZNP Limited and Horizon Pharma USA, Inc. (“Plaintiffs” or “Horizon”) will move this Court at the Mitchell H. Cohen Building & U.S. Courthouse, 4th & Cooper Streets, Camden, New Jersey 08101, pursuant to the Court’s Order entering a briefing schedule (D.E. 152), before the Honorable Noel L. Hillman, U.S.D.J., for entry of an Order, pursuant to Federal Rule of Civil Procedure 12(b)(1), to dismiss the Thirteenth and Fourteenth Counterclaims of Defendant Actavis Laboratories UT, Inc., which seek declarations of non-infringement and invalidity of U.S. Patent No. 8,741,956.

PLEASE TAKE FURTHER NOTICE that Horizon will rely upon the Brief submitted with this Notice of Motion, the Declaration of Benjamin Witte, supporting exhibits, and upon all pleadings and proceedings on file herein.

PLEASE TAKE FURTHER NOTICE that a Proposed Order granting Horizon’s motion is attached.

Respectfully submitted,

Date: April 15, 2016

s/ John E. Flaherty
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the foregoing Notice of Motion to Dismiss and supporting documents were caused to be served on April 15, 2016 via email and/or the ECF system upon all counsel of record.

By: s/John E. Flaherty
John E. Flaherty